

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

CIVIL ACTION NO. 23-10435-GAO

RONNIE QUALLS,  
Plaintiff,

v.

FRANCIS (“MICKEY”) ROACHE, DANIEL KEELER, KENNETH TAYLOR, DENNIS  
HARRIS, TIMOTHY MURRAY, DAVID PEREZ, JOHN HARDEN, CLIFTON HAYNES, and  
THE CITY OF BOSTON,  
Defendants.

ORDER  
March 28, 2024

O'TOOLE, D.J.

On February 23, 2023, plaintiff Ronnie Qualls (“Qualls”) commenced this action against defendants Francis (“Mickey”) Roache, Daniel Keeler, Kenneth Taylor, Dennis Harris, Timothy Murray, David Perez, John Harden, Clifton Haynes, and the City of Boston. The complaint alleges claims under 42 U.S.C. § 1983 and Massachusetts General Laws Chapter 12 § 11I.

The City of Boston was served on May 24, 2023. On June 26, 2023, the Court granted Qualls’ first motion to extend the deadline for service for the remaining defendants to August 22, 2023.<sup>1</sup> Individual defendants Daniel Keeler and Clifton Haynes were served on August 22, 2023. However, the other six named individual defendants—Francis “Mickey” Roache, Kenneth Taylor, Dennis Harris, Timothy Marray, David Perez, and John Harden—have not been served.

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<sup>1</sup> In his motion to extend the deadline for service, Qualls stated that given that none of the individual defendants are currently employed by the City of Boston, and the conduct occurred more than thirty years ago, service has been difficult. Qualls hired a private investigator to identify the current addresses of the defendants to effectuate service.

Under Rule 4(m) of the Federal Rules of Civil Procedure, “if a defendant is not served within 90 days after the complaint is filed, the court . . . must dismiss the action without prejudice against that defendant or order that service be made within a specified time.” The court can extend the time for service if the plaintiff shows good cause for the failure to serve. Fed. R. Civ. P. 4(m). Given that more than a year has passed since the filing of the complaint and nearly seven months have passed since the extended service deadline, those defendants who have still not been served must be dismissed from the action unless service is made within a specified time.

Pursuant to Rule 4(m) of the Federal Rules of Civil Procedure, the action will be dismissed without prejudice against the unserved named defendants if service is not effectuated within fourteen days of the entry of this order.

It is SO ORDERED.

/s/ George A. O’Toole, Jr.  
United States District Judge